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Women and Justice

Highlights

- Civil order protection filings jumped 2,703 percent, from 189 in 1990 to 5,297 in 2000.
- Domestic violence is a gender-based crime with 82.9 percent of the victims being female and 82.9 percent of the perpetrators being male.
- Between 1991 and 1999, Iowa law enforcement agencies saw a 131.1 percent increase in the number of reported sex offenses, from 890 to 2,057. The majority of those victims were female.
- In 1987, Iowa's prison female population was fewer than 125. By 2000, that number was 604.
- African-American women represent a disproportionate number of women who are incarcerated at the Iowa Correctional Institution for Women. While representing approximately one percent of the female population, they comprised 22 percent of the female prison population at the Iowa Correctional Institution for Women in June 2000.

—Chapter 5—

Women and Justice

5.1 Introduction

Violence against women hinders them from achieving their full potential. In Iowa, the reported number of women who are victims of violent crimes, particularly domestic abuse and sexual assault, has escalated in the past eight years. Iowa women are also committing more crimes than they were 10 years ago. The Iowa Correctional Institution for Women is treating more women now than ever before for drug-related crimes.

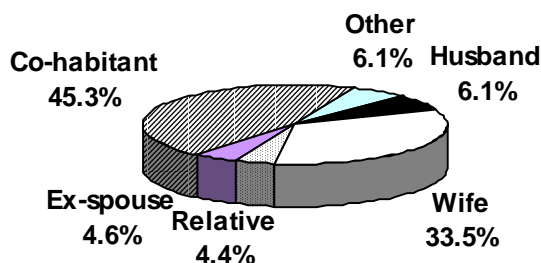
5.2 Domestic Violence

Domestic violence is a gender-based crime. Although both women and men can be victims of domestic abuse, the vast majority are women. In Iowa, 82.9 percent of victims were female and 82.9 percent of perpetrators were male, making domestic violence a gender-based crime in 1999.¹

Domestic violence crosses ethnic, racial, age, national origin, sexual orientation, and socioeconomic lines—with children often becoming the indirect victims. It is a pattern of abusive behavior used to control one's partner that includes physical violence or assault, isolation, intimidation, threats, economics, and forced sex.

Nationwide, in 1998, about 1 million violent crimes were committed against persons by their current or former spouses or partners.² Domestic abuse not only includes violent behavior among people who live together, but also includes assault between separated or divorced spouses, couples who had lived together in the past year, relatives, and two people with a child in common. (SEE FIGURE 5.1)

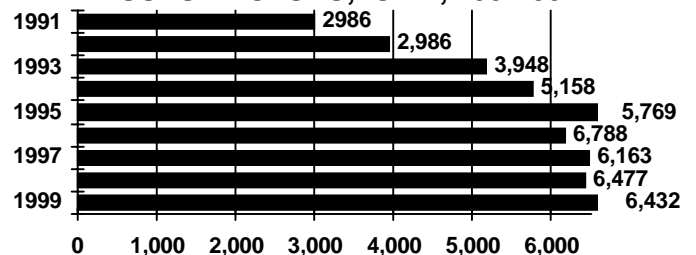
Figure 5.1
RELATIONSHIP OF VICTIM TO OFFENDER
IN REPORTED DOMESTIC ABUSE CASES
IOWA, 1999



SOURCE: Iowa Department of Public Safety

Domestic abuse reports to law enforcement officials increased 115.4 percent from 1991 to 1999. (SEE FIGURE 5.2)

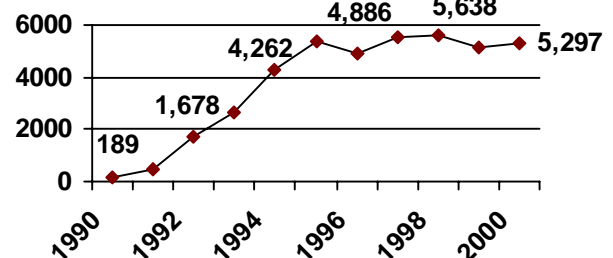
Figure 5.2
REPORTED DOMESTIC ABUSE
ASSAULT CASES, IOWA, 1991-99



SOURCE: Iowa Department of Public Safety

Civil protection order filings jumped dramatically between 1990 and 2000, with a 2,703 percent increase. (SEE FIGURE 5.3) The increases can be attributed in part to the fact that domestic violence nationally and in Iowa has acquired a great deal of media and legal attention over the past decade, encouraging more victims to report domestic abuse.

Figure 5.3
CIVIL ORDER PROTECTION
FILINGS IN IOWA, 1990-2000



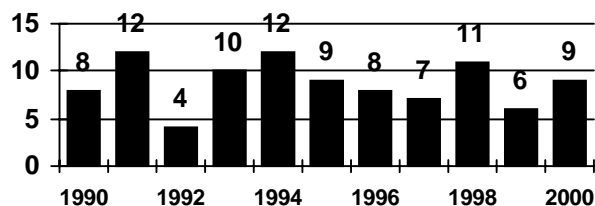
SOURCE: Iowa Judicial Department

Nonetheless, reported cases of domestic abuse represent only a small portion of those who seek help from Iowa's domestic violence crisis lines and shelters. From July 1, 1999 to June 30, 2000, 18,458 victims of domestic violence were served by programs receiving state dollars. Of those, 14,883 were adults and 3,575 were children.³

In 67 percent of cases reported to law enforcement in 1999, the victim suffered some sort of injury. A weapon was indicated in 93 percent of those cases.⁴ Sometimes, the result is death.

Many Iowa women have died as a result of domestic violence. From 1990 to 2000, 96 women were killed by their partners—husbands, men with whom they lived, and men they had dated. (One woman was six months pregnant at the time of the murder.) (SEE FIGURE 5.4) More than half of the perpetrators committed suicide after the murder in 2000.⁵ Conversely, nine men were murdered in Iowa by their female partners during that same time period. Of those, three were reported to have had a history of abusing the woman or were physically threatening her at the time. In all domestic abuse murders in that time, 13 children were also killed at the crime scenes. Many more children witnessed the crimes.⁶

Figure 5.4
FEMALES KILLED IN DOMESTIC ABUSE CASES, IOWA, 1990-2000



SOURCE: Iowa Attorney General's Office, Crime Victim Assistance Division

Children are at risk of death and of physical and sexual abuse in families where domestic violence occurs. In 29 percent of the cases reported to law enforcement in 1999, children were present.⁷ Research shows that 50-70 percent of husbands who batter their wives also batter their children.⁸

The 1999 Iowa Youth Survey, conducted by the Iowa Consortium for Substance Abuse Research and Evaluation, reported that a range of 10 to 17 percent of students in each grade, 6-12, experienced physical abuse at home. (SEE FIGURE 5.5)

The 1999 report also shows that of those who had a boyfriend/girlfriend, four to eight percent of students in

each grade, 6-12, have experienced physical abuse by their partner. Overall, 6 percent of both boys and girls have been victims of dating violence. (SEE FIGURE 5.6) In 1999, 32 domestic violence projects existed in Iowa to assist victims of domestic abuse of all ages.

Figure 5.5
PHYSICAL ABUSE AT HOME, GRADES 6-12, IOWA, 1999*



*85,552 students statewide were surveyed
SOURCE: Iowa Consortium for Substance Abuse Research and Evaluation

Figure 5.6
DATING VIOLENCE, GRADES 6-12, IOWA, 1999*



*85,552 students statewide were surveyed
SOURCE: Iowa Consortium for Substance Abuse Research and Evaluation

5.3 Sexual Assault

In Iowa, the number of reported sexual assaults continues to rise yearly. A violent crime, primarily an aggressive rather than sexual act, sexual assault occurs whenever a person is forced to submit to another person against her or his will. It involves physical force, psychological pressure, and/or exploitation. The majority of reported sexual assault victims are women.

In 1999, law enforcement officials saw a 131.1 percent increase from 1991 in the number of reported sex offenses. (SEE FIGURE 5.7) That included 818 reports of forcible rape, 948 reports of forcible fondling, 42 reports of sexual assault with an object, 95 reports of forcible sodomy, 38 reports of incest, and 116 reports of statutory rape.¹⁰ The actual number of offenses is presumed to be much higher, as many cases of sexual assault are not reported to law enforcement officials.

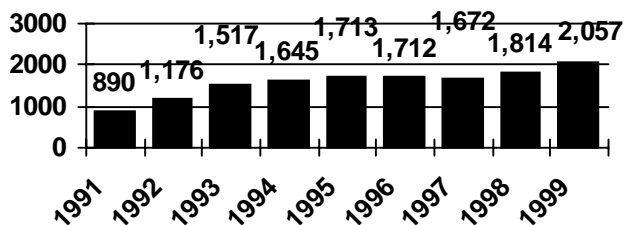
The majority of the rape victims knew their attacker in 1999. Victims identified a family member as their attacker 13.8 percent of the time, and two-thirds of the

victims knew the perpetrator. (SEE FIGURE 5.8) Most rapes occurred within a residence. (SEE FIGURE 5.9)

From July 1, 1998 to June 30, 1999, 3,482 adult, teenage, and child survivors of sexual assault sought services from Iowa's 31 sexual assault crisis centers. This includes 1,631 adults, 792 teens (13-17), and 723 children. This was up from approximately 3,000 in 1990.¹¹

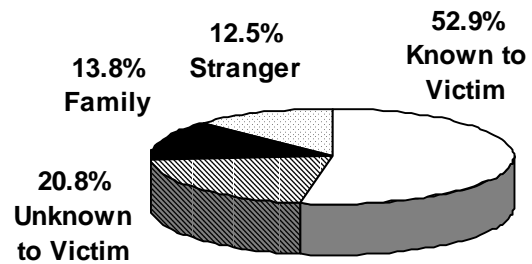
Ninety-five percent of forcible rape victims were female.¹²

Figure 5.7
REPORTED SEXUAL ASSAULTS
IOWA, 1991-99



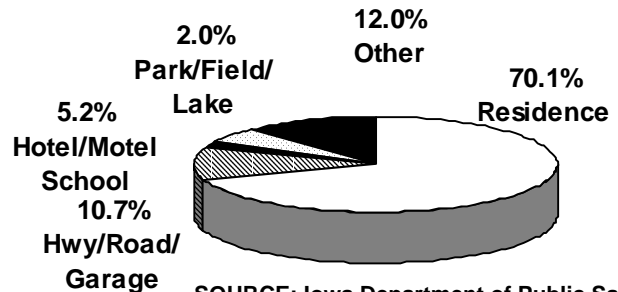
SOURCE: Iowa Department of Public Safety

Figure 5.8
REPORTED RAPE RELATIONSHIPS
IOWA, 1999



SOURCE: Iowa Department of Public Safety

Figure 5.9
REPORTED RAPE LOCATIONS
IOWA, 1999



SOURCE: Iowa Department of Public Safety

5.4 Offenders

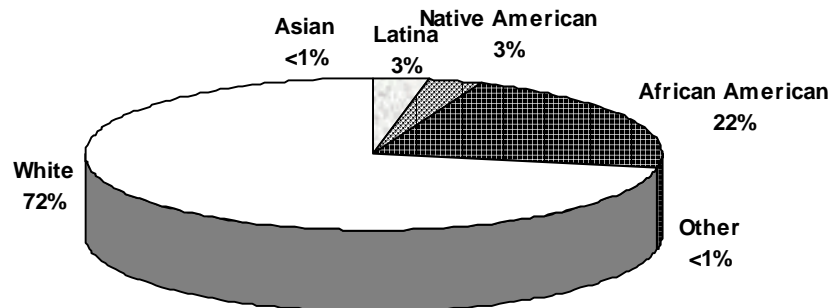
The proportion of female offenders to the total population remained fairly stable during the late 1980s and early 1990s. Over the past five years, the female population increased by nearly 53 percent.¹³ (SEE FIGURE 5.10) There are grave differences in the rate of African-American women and white women who are in prison. In June of 2000, approximately 22 percent of the Iowa Correctional Institution for Women population was African-American and 72 percent white.¹⁴ These figures are staggering when considering that African-American women made up just 1 percent of Iowa's female population in 1999.¹⁵ (SEE FIGURE 5.11)

Figure 5.10
IOWA INMATE POPULATIONS AT MIDYEAR, IOWA, 1987-2000

YEAR	TOTAL	# WOMEN	% WOMEN	YEAR	TOTAL	# WOMEN	% WOMEN
1987	2,789	123	4.7%	1994	5,090	307	6.0%
1988	2,890	134	4.6%	1995	5,692	395	6.9%
1989	3,322	181	5.4%	1996	6,176	447	7.2%
1990	3,842	204	5.3%	1997	6,636	521	7.9%
1991	4,077	221	5.4%	1998	7,431	616	8.3%
1992	4,485	217	4.8%	1999	7,331	540	7.4%
1993	4,695	262	5.6%	2000	7,646	604	7.9%

SOURCE: Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights

Figure 5.11
RACIAL/ETHNIC MAKE-UP FOR IOWA
CORRECTIONAL INSTITUTION FOR WOMEN, JUNE 30, 2000



SOURCE: Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights

Female-offender populations throughout the 1990s appear to be driven by trends in the following offenses: drug offenses, forgery and theft.¹⁶ The proportion of female offenders serving time for these crimes has grown more rapidly than for other types of offenses. (SEE FIGURE 5.12)

Figure 5.12
LEAD OFFENSES OF IOWA CORRECTIONAL INSTITUTION FOR WOMEN INMATES
AUGUST 19, 1992 AND JUNE 30, 2000

Lead Offense	August 19, 1992		June 30, 2000		% Change, 1992-2000
	#	%	#	%	
Drug Offense	30	16.4%	137	31.3%	356.7%
Forgery/Fraud	17	9.3%	57	13.0%	235.3%
Theft	30	16.4%	61	13.9%	103.3%
All Other Offenses	106	57.9%	183	41.8%	72.6%
Total Inmates	183	100.0%	438	100.0%	139.3%

SOURCE: Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights

5.5 Juvenile Offenders

Juvenile arrests in 1999 (those under 18 years of age) totaled 19,210 in Iowa--29.8 percent female and 70.2 percent male. The highest percentage of Iowa's female juvenile were arrested for larceny and violating liquor laws.¹⁷

Since 1995, the number of females served in Iowa's juvenile detention facilities has increased dramatically--a 44.1 percent increase from 1995 to 2000. (SEE FIGURE 5.13) The largest increases have been in property offenses (all degrees of theft, burglary, criminal mischief, trespassing, forgery, etc.), person offenses (all degrees of assault, robbery, arson, murder, and kidnapping), and drug offenses.¹⁸ (SEE FIGURE 5.14)

Figure 5.13
JUVENILES HELD IN DETENTION
FACILITIES BY GENDER, IOWA, 1995-2000

	FY95	FY96	FY97	FY98	FY99	FY00
Female	707	864	864	906	1,066	1,019
Male	3,426	3,683	3,929	4,379	4,147	4,275
Total	4,133	4,547	4,793	5,285	5,213	5,294

SOURCE: Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights

Figure 5.14
FEMALE JUVENILE OFFENDERS BY OFFENSE, IOWA, 1995-2000

	<u>FY95</u>	<u>FY96</u>	<u>FY97</u>	<u>FY98</u>	<u>FY99</u>	<u>FY00</u>
Other	5	11	24	15	15	0
Person	194	230	246	280	325	345
Sex	2	4	0	2	3	0
Drug	33	65	77	70	82	115
Public Health	7	26	47	39	33	25
Justice	22	43	45	69	128	109
Morality	3	3	3	0	3	3
Traffic	6	10	12	14	26	30
Property	424	460	408	409	446	381
Weapons	11	12	2	8	5	11
Total	707	864	864	906	1066	1019

SOURCE: Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights

5.6 Forward-looking Strategies

- In response to the dramatic increase in drug-related crimes in the state of Iowa, there is a serious need for more drug abuse treatment programs.

- Funding and support for improved educational and vocational training for women is needed throughout Iowa's correctional system. Training for women and men needs to include parenting education with follow-up after release by community correctional programming and referral/support agencies. Furthermore, a task force needs to be established to examine treatment and equality of opportunity in education and training programs for women throughout the correctional system.

- Domestic abuse programs are understaffed. Programs require skilled staff and volunteers to be available on crisis lines and to work in person, 24 hours every day. Many programs respond to domestic abuse victims at hospitals, clinics, and police stations.

- In the past few years, many new domestic violence and sexual assault projects have developed in Iowa, especially in rural communities. These projects need continued funding.

- Training should be mandated for criminal justice personnel in victim-related issues.

- To meet the increasing needs of females involved with or at risk for involvement with the juvenile justice system, advocate for gender-specific programming on multiple levels as identified in the Iowa Commission on the Status of Women's *Providing Gender-Specific Services for Adolescent Female Offenders: Guidelines and Resources*.

- The Equality in the Courts Task Force, which investigated racial/ethnic and gender bias in Iowa's court system, reported in 1993 one consistent finding: gender and race bias poses a problem for women and minorities. Members of minority groups received harsher treatment in the court system. Educational programs should continue to incorporate materials on gender and racial/ethnic bias in courts. Training is needed for judges, attorneys, court personnel, and corrections/community-based supervision personnel.¹⁹

- Increase sentences to community-based programs as an alternative to prison, particularly for mothers who have been convicted of nonviolent crimes.

- State funding should be made available for a full-time position to coordinate, develop, and manage legal assistance to meet the needs of low-income women.

- Intimate relationship violence should be included in the statutory definition of domestic violence.

¹Iowa Department of Public Safety, *Iowa Uniform Crime Reports*, 1999.

²Bureau of Justice Statistics, *Intimate Partner Violence*, May 2000.

³Crime Victim Assistance Division, Iowa Department of Justice.

⁴Iowa Department of Public Safety, *Iowa Uniform Crime Reports*, 1999.

⁵Crime Victim Assistance Division, Iowa Department of Justice.

⁶*Ibid.*

⁷Iowa Department of Public Safety, *Iowa Uniform Crime Reports*, 1999.

⁸Pagelow, "Effects of Domestic Violence on Children and Their Consequences for Custody and Visitation Arrangements," *Mediation Quarterly*, 1990, p. 347 quoted by *Final Report of the Supreme Court Task Force on Courts and Communities' Response to Domestic Abuse, State of Iowa*, August 1994, p. 93.

⁹Iowa Consortium for Substance Abuse Research and Evaluation, University of Iowa, *1999 Youth Survey Report*.

¹⁰Iowa Department of Public Safety, *Iowa Uniform Crime Reports*, 1999.

¹¹Crime Victim Assistance Division, Iowa Department of Justice.

¹²Iowa Department of Public Safety, *Iowa Uniform Crime Reports*, 1999.

¹³Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights, *State of Iowa Inmates at Mid-Year 2000*.

¹⁴Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights, *State of Iowa Inmates at Mid-Year 2000*.

¹⁵State Data Center, Division of Library Services, Department of Education.

¹⁶Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights, *State of Iowa Inmates at Mid-Year 2000*.

¹⁷Iowa Department of Public Safety.

¹⁸Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights.

¹⁹*Final Report of the Equality in the Courts Task Force Executive Summary*, February 1993.